

REMARKS

Applicants respectfully request further examination and reconsideration in view of the arguments set forth fully below. Claims 1-4 and 6-24 were previously pending in this application. Accordingly, Claims 1-4 and 6-24 are now pending in this application.

Rejections Under 35 U.S.C. § 103

Within the Office Action, Claims 6-12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,160,877 issued to Tatchell et al. (hereinafter "Tatchell") in view of U.S. Patent No. 6,324,269 issued to Malik. The Applicants respectfully traverse this rejection.

Tatchell teaches a subscriber interface operating as a Personal Agent that enables a subscriber to access and activate telephone network services. Specifically, Tatchell teaches a personal agent processor 11 coupled to a telephone switching center 10 for providing the subscriber with call management services (Tatchell, col. 6, lines 59-67).

Within the Office Action, it is stated that Tatchell teaches a method of initiating a call from a user location to a destination through a service comprising the step of conveying data from the service to a control point, as claimed in Claim 6, element a, of the present application. To support this assertion, column 8, lines 6-48 of Tatchell are cited. The Applicants respectfully disagree with this conclusion. Although the Applicants do not believe that "the service" provided by the present invention is the same as the call management services provided by the personal agent processor 11 of Tatchell, for comparison purposes, the service as claimed in the present invention is most closely compared to the personal agent processor 11 of Tatchell in that the personal agent processor 11 provides a service, the call management services. To further the comparison, although the Applicants do not believe that "the control point" provided by the present invention is the same as the service control functionality provided by the personal agent processor 11 of Tatchell, for comparison purposes, the control point as claimed in the present invention is most closely compared to the personal agent processor 11 of Tatchell in that the personal agent processor 11 provides control functionality which enables users to manage outgoing and incoming calls. As such, the service and the control point are both embodied within the personal agent processor 11. Therefore, data can not be conveyed from the service to

the control point, as the service and the control point of Tatchell are one and the same.

The cited portion of Tatchell, column 8, lines 6-48, refers to routing subscriber identity information from the call controller 16 of the telephone switching center 10 to the personal agent processor 11. However, the telephone switching center 10 provides neither the service nor the control point. Therefore, conveying data from the telephone switching center 10 to the personal agent processor 11 is not the same as conveying data from the service to the control point, as claimed in Claim 6 of the present application.

Further, within the Office Action, it is stated that Tatchell teaches the step of temporarily routing the call to a switch associated with a predetermined telephone line, as claimed in Claim 6, element b, of the present application. To support this assertion, column 8, lines 6-48 of Tatchell are again cited. The Applicants respectfully disagree with this conclusion. Tatchell teaches that the telephone switching center 10 is connected to the telephone subscribers 17a - 17n (Tatchell, Fig. 1). Whenever a call is placed by the subscriber 17a - 17n to calling party 22, or vice-versa, the telephone switching center 10 routes the call. Tatchell does not teach that the telephone switching center 10 temporarily routes the call, and then forms a new call originating from the subscriber 17a - 17n and terminating at the called party 22, as claimed in Claim 6, elements b and c, of the present application.

Still further, within the Office Action, it is stated that Tatchell suggests that the call management services provided by the personal agent processor 11 are provided on a monthly or per-call basis and passwords are required for calls that required toll charges. However, nowhere does Tatchell teach, or even suggest, the specifics of any type of billing process associated with the use of the call management services.

It is acknowledged within the Office Action that Tatchell does not clearly teach storing billing information related to the new call on the switch associated with the predetermined telephone line in response to a signal initiated by the service (present application, Claim 6, element d), and automatically billing the new call to a predetermined telephone line using the stored billing information (present application, Claim 6, element e). Within the Office Action, it is stated that Malik teaches a method and system for billing calls made via a service node to complete the call and billing the call to subscriber predetermined number wherein a triggering event is activated while processing data and calls. It is stated within the Office Action that these teachings of Malik, as applied to the system of Tatchell, provide appropriate billing of the call

according to the aforementioned limitations of the present claims. The Applicants respectfully disagree with this conclusion.

Malik teaches a service circuit node (SCN) 56 that enables automatic long distance billing (ALDB) service, or referred to generally as billing services. The SCN 56 is connected to a service control point (SCP) 50 which is coupled to multiple service switching points (SSP) 220a, 220b, 220c, and 220d. A termination attempt trigger can be pre-set by an instruction sent from the SCP 50 to the proper SSP. Upon receiving a proper feature code from a subscriber, the SCP 50 instructs the switch (SSP 220a) to route the call to the SCN 56 for servicing. At the SCN 56, a transaction is opened and transmitted to the SCP 50 for execution. In response, the SCP 50 provides instructions to the switches (SSPs 220a, 220b, and 220c) to route the call from the office location 250 to the SSP 220c, to the SSP 220b, to the called party 214.

If the billing service provided by Malik is combined with the system of Tatchell, as suggested within the Office Action, then the combined system provides two separate services, a first service provided by Tatchell and a second service provided by Malik. To continue the analogy discussed above, if the first service of Tatchell is to be compared to the claimed service of the present application, then the first service of Tatchell must provide a signal to the switch to activate the triggering event. However, as acknowledged in the Office Action, the first service of Tatchell does not perform such a function. In this case, the second service of Malik must necessarily provide the triggering event signal to the switch. Thus, the combined system of Tatchell and Malik requires two separate service. However, the present application claims a single service. The antecedent basis for "the service" in Claim 6, element d, indicates that the signal is sent from the same service as the service that receives an incoming call from the calling party and that initiates an outgoing call to a called party.

The teaching of both Tatchell and Malik imply that a combination of the first service and the second service is not plausible. Specifically, Tatchell teaches that the personal agent processor 11 (first service) provides call management services, and therefore, it follows that the first service tracks the particulars associated with the use of the call management services for billing purposes. Malik teaches that the SCN 56 provides automatic long distance billing services (second service). However, the SCN 56 only acts as the front-end of the billing process, that is when a call is placed to the SCN 56 for servicing, the SCN 56 opens a transaction, but then the transaction is transmitted to the SCP 50 for execution (Malik, col. 6, lines 23-25), and

the trigger is tripped at the SSP 220c to start the billing at the SSP 220c. There is no hint, teaching, or suggestion that this type of servicing process can be performed by the personal agent processor 11 of Tatchell. The personal agent processor 11 of Tatchell performs a self-contained applications process and related billing, unlike the process performed by the SCN 56 of Malik. As such, there is no indication that the first service of Tatchell can be combined with the second service of Malik. Therefore, the combination of Tatchell in view of Malik is not proper.

The independent Claim 6 is directed to a method of billing a call to a predetermined telephone line wherein a user initiates the call from a calling party to a called party through a service. The method comprises the steps of conveying data from the service to a control point, wherein the data indicates the predetermined telephone line, and the called party, and the calling party, temporarily routing the call to a switch associated with the predetermined telephone line, forming a new call originating from the calling party and terminating at the called party, storing billing information related to the new call in the switch associated with the predetermined telephone line in response to a signal initiated by the service, and automatically billing the new call to the predetermined telephone line using the stored billing information. As discussed above, Tatchell does not teach conveying data from the service to the control point. Further, Tatchell does not teach temporarily routing the call to a switch associated with a predetermined telephone line. Still further, Malik does not teach that the call is temporarily routed to the SSP 220c (switch) associated with telephone line 205c (predetermined telephone line). Malik teaches that the call is routed to the SSP 220c and is then routed from the SSP 220c to the SSP 220b and then to telephone line 205b (Malik, col. 8, lines 34-38). As such, neither Tatchell, Malik, nor their combination teach temporarily routing the call to a switch associated with a predetermined telephone line. Additionally, the combination of Tatchell and Malik requires two separate services. Neither Tatchell, Malik, nor their combination teach a single service for receiving a call from a calling party and initiating an outgoing call to a called party, and for sending a signal to a switch associated with a predetermined telephone line to trigger the storing of billing information. For at least these reasons, the independent Claim 6 is allowable over the teaching of Tatchell, Malik, and their combination.

Claims 7-12 are each dependent upon the independent Claim 1. As discussed above, Claim 1 is allowable over the teachings of Tatchell, Malik and their combination. Accordingly, Claims 7-12 are each also allowable as being dependent upon an allowable base claim.

Within the Office Action, Claims 1-4, 13-24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Tatchell in view of U.S. Patent No. 5,339,352 issued to Armstrong et al. (hereafter "Armstrong") and further in view of Malik. The Applicants respectfully traverse this rejection.

The independent Claim 1 is directed to a billing system for automatically charging a call to a predetermined telephone line. The billing system comprises a service configured to receive an incoming call from a calling party and to initiate an outgoing call to a called party, a switch coupled to the predetermined telephone line configured to store billing information in response to a triggering event, and a control point coupled to the service, the calling party, and the switch wherein the control point is configured to activate the triggering event in response to receiving an appropriate signal from the service and to transfer the incoming call from the service to the called party such that the calling party and the called party are connected, wherein the billing information corresponding to the incoming call is stored in the switch and the stored billing information is used to charge the predetermined telephone line.

As discussed above in regard to Claim 6, the combination of Tatchell and Malik requires two separate services. Neither Tatchell, Malik, Armstrong nor their combination teach a single service for receiving a call from a calling party and initiating an outgoing call to a called party, and for sending a signal to a switch associated with a predetermined telephone line to trigger the storing of billing information. Therefore, if the teachings of Malik are incorporated into Tatchell in view of Armstrong, then the resulting system does not provide the same billing system as claimed. For at least these reasons, the Applicants respectfully submit that the subject matter of the independent Claim 1 is allowable over the teachings of Tatchell, Armstrong, Malik and their combination and as such is an allowable base claim.

Claims 2-4 and 18-22 are each dependent upon the independent Claim 1. As discussed above, Claim 1 is allowable over the teachings of Tatchell, Armstrong, Malik and their combination. Accordingly, Claims 2-4 and 18-22 are each also allowable as being dependent upon an allowable base claim.

The independent Claim 13 teaches a method of billing a call to a predetermined telephone line wherein a user initiates the call through a service from a calling party to a called party. The method includes conveying call data from the service to a control point wherein the control point

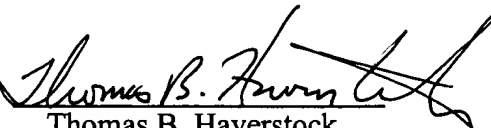
is coupled to the calling party, the predetermined telephone line, and the called party, terminating the call to the service, forming a new call to link the calling party to the called party, storing billing information related to the new call on a switch associated with the predetermined telephone line in response to a signal initiated by the service, and automatically billing the new call to the predetermined telephone line using the stored billing information. As discussed above in regard to Claim 1, Tatchell does not teach conveying data from the service to the control point. Further, neither Tatchell, Armstrong, nor Malik teach terminating the call to the service. Additionally, the combination of Tatchell and Malik requires two separate services. Neither Tatchell, Malik, Armstrong nor their combination teach a single service for receiving a call from a calling party and initiating an outgoing call to a called party, and for sending a signal to a switch associated with a predetermined telephone line to trigger the storing of billing information. For at least these reasons, the independent Claim 13 is allowable of the teaching of Tatchell, Malik, Armstrong and their combination.

Claims 14-17 and 23-24 are each dependent upon the independent Claim 13. As discussed above, Claim 13 is allowable over the teachings of Tatchell, Armstrong, Malik and their combination. Accordingly, Claims 14-17 and 23-24 are each also allowable as being dependent upon an allowable base claim.

For at least the reasons given above, Applicants respectfully submit that all of the claims are in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, he is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
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Dated: 9-24-03

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CERTIFICATE OF MAILING (37 CFR § 1.8(a))

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